

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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ALLEAH HOLLAND,

Plaintiff,

- against -

CITY OF NEW YORK, et al.,

Defendants.
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ORDER

CV 05-2511 (ENV) (JO)

JAMES ORENSTEIN, Magistrate Judge:

On July 11, 2006, the defendants filed a letter requesting that I dismiss the instant case without prejudice for failure to prosecute. Docket Entry ("DE") 19. In response, the plaintiff filed two letters opposing dismissal. DE 21; DE 27. The plaintiff claims that the discovery delays described by the defendants were related to standing issues raised by the plaintiff's bankruptcy, all of which are now resolved. DE 27 at 2. I am convinced by the plaintiff's explanation that there is no "pattern of dilatory conduct" sufficient to justify a recommendation for sanctions or for dismissal at this time. To the extent the defendants' application can be interpreted as a request for me to issue a Report and Recommendation to the presiding district court judge recommending the dismissal of this case, I decline to do so at this time.

SO ORDERED.

Dated: Brooklyn, New York
March 20, 2007

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge